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10 *Attorneys for Defendant*  
11 *NETFLIX, INC.*

12 **UNITED STATES DISTRICT COURT**  
13  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15  
16 **OAKLAND DIVISION**

17 LAURI VALJAKKA,  
18  
19 *Plaintiff,*  
20 v.  
21 NETFLIX, INC.,  
22  
23 *Defendant.*

Case No.: 4:22-cv-01490-JST

**DECLARATION OF RACHAEL D.  
LAMKIN IN SUPPORT OF DEFENDANT  
NETFLIX, INC.'S SUPPLEMENTAL  
BRIEF REGARDING EXPENSES AND  
FEES PURSUANT TO ECF NO. 324.**

Judge: Hon. Jon S. Tigar

1 I, Rachael D. Lamkin, hereby declare:

2 1. I am a partner with the law firm Baker Botts L.L.P. (“Baker Botts”), and counsel of  
3 record for Defendant Netflix, Inc. (“Netflix”) in the above-captioned matter.

4 2. I am admitted to practice in all state and federal courts in California, federal courts  
5 in Colorado and the Eastern and Western Districts of Texas. I am also admitted in the Federal  
6 Circuit, the International Trade Commission, the Court of International Trade, and this Honorable  
7 Court.

8 3. I have personal knowledge of the facts stated herein.

9 4. Attached as Exhibit 1 is a true and correct copy of Baker Botts’ invoices to Netflix  
10 for this matter from December 2024 (when Netflix discovered Mr. Ramey’s breach). These  
11 invoices have been redacted to omit information (such as attorney and paralegal time billed to tasks)  
12 unrelated to Netflix’s response to, and remediation of, Mr. Ramey’s violations of the protective  
13 order. For attorney time and other expenses incurred that have not yet been invoiced to Netflix, I  
14 provide as Exhibits 2 and 3 a summary of all relevant attorney activities that will be invoiced to  
15 Netflix and that relate to Netflix’s response to and remediation of Mr. Ramey’s violations of the  
16 protective order. Upon request, I am willing to provide copies of the invoices reflecting these fees  
17 and expenses after Baker Botts submits the invoices to Netflix.

18 **I. Biographies and Roles of the Baker Botts Attorneys for Whom Netflix Seeks to**  
19 **Recover Fees.**

20 5. Below are the qualifications of the Baker Botts timekeepers who provided services  
21 to Netflix in response to, and remediation of, Mr. Ramey’s violations of the protective order. I also  
22 provide the billing rates for each timekeeper who responded to, and remediated, Mr. Ramey’s  
23 violations of the protective order. Netflix, a sophisticated client, has endorsed these qualifications  
24 and billing rates through its selection of counsel.

25 6. I, Rachael D. Lamkin, received a Bachelor of Arts Degree in Philosophy from  
26 California State University, Sacramento, *cum laude*, in 2000. I received my J.D. from the  
27 University of California Davis School of Law in 2006. Since 2006, I have practiced as an  
28

1 intellectual property litigator (with a focus on patent litigation) in the greater San Francisco Bay  
2 Area.

3 7. During the period of time relevant to Netflix's fee request (December 2024 through  
4 September 2025), my billed rate for this matter was [REDACTED] per hour, which is [REDACTED]  
5 [REDACTED].

6 I am informed and believe that this rate is reasonable and customary for an attorney of my  
7 experience and caliber practicing in the San Francisco Bay Area.

8 8. Lauren Dreyer is a partner at Baker Botts. She received a Bachelor of Science  
9 Degree in Electrical Engineering from the University of Texas in 2007. She received her J.D. from  
10 George Washington University Law School, *with honors*, in 2011. From 2011-2013, and since  
11 2014, she has practiced as an intellectual property litigator (with a focus on patent litigation) in  
12 Washington D.C. From 2013-2014, Ms. Dreyer clerked for the Honorable Raymond T. Chen.

13 9. During the period of time relevant to Netflix's fee request, Ms. Dreyer's billed rate  
14 for this matter was [REDACTED] per hour, which is [REDACTED]  
15 [REDACTED]. I am informed and believe that  
16 this rate is reasonable and customary for an attorney of her experience and caliber practicing in  
17 Washington D.C.

18 10. Ariel House is a partner at Baker Botts. She received a Bachelor of Arts Degree in  
19 Political Science & Public Policy, *summa cum laude*, in 2008. She received her J.D. from the  
20 University of California at Los Angeles School of Law in 2011. Since 2012, she has practiced  
21 complex litigation in Los Angeles and Austin. Ms. House currently practices in Austin.

22 11. During the period of time relevant to Netflix's fee request, Ms. House's billed rate  
23 for this matter was [REDACTED] per hour, which is [REDACTED]  
24 [REDACTED]. I am informed and believe that  
25 this rate is reasonable and customary for an attorney of her experience and caliber practicing in  
26 Austin.

27 12. Thomas Carter is a senior associate at Baker Botts. He received a Bachelor of  
28 Science Degree in Chemical Engineering from Auburn University in 2008. He received his J.D.

1 from the University of Alabama School of Law, *cum laude*, in 2015. Since 2015, he has practiced  
2 as an intellectual property litigator (with a focus on patent litigation) in Houston.

3 13. During the period of time relevant to Netflix's fee request, Mr. Carter's billed rate  
4 for this matter was [REDACTED] per hour, which is [REDACTED]  
5 [REDACTED]. I am informed and believe that  
6 this rate is reasonable and customary for an attorney of his experience and caliber practicing in  
7 Houston.

8 14. Jennifer Berger is a senior associate at Baker Botts. She received a Bachelor of Arts  
9 Degree in Public Policy Studies from the University of Chicago in 2013. She received her J.D.  
10 from Temple University School of Law in 2019. Since 2019, she has practiced as a general practice  
11 litigator in Philadelphia and New York City. Ms. Berger currently practices in New York City.

12 15. During the period of time relevant to Netflix's fee request, Ms. Berger's billed rate  
13 for this matter was [REDACTED] per hour, which is [REDACTED]  
14 [REDACTED]. I am informed and believe that  
15 this rate is reasonable and customary for an attorney of her experience and caliber practicing in  
16 New York City.

17 16. Griffin Tolle is a junior associate at Baker Botts. He received a Bachelor of Science  
18 Degree in Mechanical Engineering from the University of Alabama in 2019. He received his J.D.  
19 from Texas A&M University School of Law, *magna cum laude*, in 2022. Since 2022, he has  
20 practiced as an intellectual property litigator (with a focus on patent litigation) in Dallas.

21 17. During the period of time relevant to Netflix's fee request, Mr. Tolle's billed rate  
22 for this matter was [REDACTED] per hour, which is [REDACTED]  
23 [REDACTED]. I am informed and believe that  
24 this rate is reasonable and customary for an attorney of his experience and caliber practicing in  
25 Dallas.

26 18. Herkiran Gill is a junior associate at Baker Botts. She received a Bachelor of Science  
27 Degree in Molecular Biology from San Jose State University in 2019. She received her J.D. from  
28 the University of California, Hastings College of Law (now the UC Law San Francisco) in 2022.

1 Since 2022, she has practiced as an intellectual property litigator (with a focus on patent litigation)  
2 in the greater San Francisco Bay Area.

3 19. During the period of time relevant to Netflix's fee request, Ms. Gill's billed rate for  
4 this matter was [REDACTED] per hour, which is [REDACTED]  
5 [REDACTED]. I am informed and believe that this  
6 rate is reasonable and customary for an attorney of her experience and caliber practicing in the San  
7 Francisco Bay Area.

8 20. Linus Nemiroff is a junior associate at Baker Botts. He received a Bachelor of  
9 Science Degree in Physics from the University of Maryland in 2021. He received his J.D. from the  
10 University of California Davis School of Law in 2024. Since 2024, he has practiced as an  
11 intellectual property litigator (with a focus on patent litigation) in the greater San Francisco Bay  
12 Area.

13 21. During the period of time relevant to Netflix's fee request, Mr. Nemiroff's billed  
14 rate for this matter was [REDACTED] per hour, which is [REDACTED]  
15 [REDACTED]. I am informed and believe  
16 that this rate is reasonable and customary for an attorney of his experience and caliber practicing in  
17 the San Francisco Bay Area.

18 **II. Baker Botts Rates Are Comparable to Prevailing Rates in the Community for**  
19 **Like-Skilled Professionals**

20 22. Every other year, the American Intellectual Property Law Association (the  
21 "AIPLA") produces an Economic Survey that reports on, among other things, billing rates for  
22 intellectual property services. I have reviewed the October 2023 edition of the AIPLA Report of  
23 the Economic Survey ("AIPLA Report"; Ex. 4 ("AIPLA Report")) which provides average billing  
24 rates for 2022 and compared the rates charged by Baker Botts attorneys. The AIPLA Report  
25 indicates that the first quartile and third quartile average hourly billing rates in 2022 for an  
26 intellectual property partner in "San Francisco CSMA" (the region including the San Francisco Bay  
27 Area) were \$534 and \$1,546, respectively. AIPLA Report at I-34. For intellectual property partners  
28 in "Washington, DC CMSA" (the region including Washington D.C.), the AIPLA Report indicates

1 that the first quartile and third quartile average hourly billing rates in 2022 were \$478 and \$995,  
2 respectively. *Id.*

3 23. The first quartile and third quartile average hourly billing rates in 2022 for an  
4 intellectual property partner-track attorneys (e.g., associates) in the “Other West” region, which  
5 includes the San Francisco Bay Area, were \$283 and \$1,266, respectively. *Id.* at I-47. For  
6 intellectual property partner-track attorneys in the “Other Central” region (the closest region to  
7 Texas in the AIPLA report) the AIPLA Report indicates that the first quartile and third quartile  
8 average hourly billing rates in 2022 were \$220 and \$388, respectively. *Id.* For intellectual property  
9 partner-track attorneys in the Chicago region (a legal market of a similar size to those of Houston  
10 and Dallas) the AIPLA Report indicates that the first quartile and third quartile average hourly  
11 billing rates in 2022 were \$417 and \$564, respectively. *Id.*

12 24. The amount sought by Netflix is based on the hourly billing rates paid by Netflix in  
13 this matter. Multiplying each Baker Botts’ attorneys’ hours billed in response to, and remediation  
14 of, Mr. Ramey’s violations of the protective order from December 9, 2024, to the present by these  
15 billing rates yields a total fee of [REDACTED].

16 25. The billing rates Netflix paid in this case are comparable to the first and third quartile  
17 billing rates for similar partners and associates in the AIPLA Report.

### 18 **III. Conclusion**

19 26. I am familiar with the procedures used by Baker Botts attorneys in maintaining their  
20 time. Attorneys typically record, in tenths of an hour, the time spent on specific tasks for their work  
21 that day.

22 27. The work performed by Ms. Dreyer, Ms. House, Mr. Carter, Ms. Berger, Mr. Tolle,  
23 Ms. Gill, Mr. Nemiroff, and I in response to Mr. Ramey’s violations of the protective order is  
24 described on the invoices in Exhibit 1 and the summary of time to be invoiced to Netflix in Exhibits  
25 2 and 3. Each of us performed other work on this matter since December 2024, but that work has  
26 been redacted to protect confidentiality and attorney-client privilege.

27 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true  
28 and correct to the best of my knowledge.

Executed on September 2, 2025 in San Francisco, California.

/s/ Rachael D. Lamkin  
Rachael D. Lamkin